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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,595	06/26/2003	Takaaki Watanabe	848075-0049	8402
7590	09/22/2006		EXAMINER	
SCHULTE ROTH & ZABEL LLP			LE, DANH C	
919 Third Avenue				
New York, NY 10022			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/608,595	WATANABE ET AL.	
	Examiner	Art Unit	
	DANH C. LE	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5,9,10,13,17 and 18 is/are rejected.
- 7) Claim(s) 6-8,11,12 and 14-16 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application
- 6) Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 6/7/06 and 9/2/03 have been considered by the examiner and made of record in the application file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. **Claims 1-5, 9, 10, 13, 17, 18 are rejected under 35 U.S.C. 102(a) as being anticipated by Park (US 2001/0036845).**

As to claim 1, Park teaches a portable information device provided with an image capturing function (figure 2 and its description) comprising:

a first housing (20) including at least a display unit;
a second (10, 30) housing including at least a control unit and an image capturing unit (401);
the first housing and the second housing being connected so as to be capable of taking a closed state in which the first housing and the second housing are placed one on another, and an opened state in which the surfaces of the both housings facing each other are exposed from the closed state toward the outside(figure 2); and
the first housing being maintained at a slanted position at a predetermined angle with respect to the second housing when being opened (402),

wherein the image capturing direction of the image capturing unit directs substantially perpendicularly to a display surface of the display unit when both the housings are opened (paragraph 032).

As to claim 2, Park teaches a portable information device provided with an image capturing function according to claim 1, wherein the second housing includes a surface extending in substantially parallel with the display surface of the display unit when in the opened state, and the surface being substantially parallel with the display surface of the display unit is formed with a image capturing window of the image capturing unit (figure 2, 10).

As to claim 3, Park teaches a portable information device provided with an image capturing function according to claim 1, wherein the display surface of the display unit is formed on a surface of the first housing facing to the second housing (figure 2, 20).

As to claim 4, Park teaches a portable information device provided with an image capturing function according to claim 3, wherein the image capturing direction of the image capturing unit directs toward the side of the display surface of the display unit or the side opposite from the display surface of the display unit (figure 2, lens 40).

As to claim 5, Park teaches a portable information device provided with an image capturing function according to claim 3, wherein the first housing and the second housing are foldably connected via a connecting unit, and the portable information device further comprising an image capturing direction control unit for varying the image capturing direction of the image capturing unit in accordance with a folding angle formed

between the first housing and the second housing (paragraph 32).

As to claim 9, Park teaches a portable information device provided with an image capturing function according to claim 5, wherein when the folding angle is within a first predetermined angular range, the image capturing direction of the image capturing unit directs the direction opposite from the display surface of the display unit, and directs substantially perpendicular to the display surface (figure 2).

As to claim 10, Park teaches a portable information device provided with an image capturing function according to claim 9, wherein the first predetermined angular range is from about 100.degree. to about 150.degree. (paragraph 32, since the user can set the angle).

As to claim 13, Park teaches a portable information device provided with an image capturing function (figure 2 and its description) comprising:

- a first housing (20);
- a second housing (10);
- a connecting unit for foldably connecting the first housing and the second housing (30);
- an image capturing unit provided in one of the first housing and the connecting unit (401);
- a display (202) unit for displaying an image to be captured by the image capturing unit and a operation unit respectively provided on any one or both of the first housing and the second housing;

an image capturing direction control unit for varying the image capturing direction of the image capturing unit in accordance with the folding angle formed between the first housing and the second housing (paragraph 32).

As to claim 17, Park teaches a portable information device provided with an image capturing function according to claim 13, wherein the image capturing unit is capable of capturing the image without being exposed directly toward the outside by making the portion of the first housing or the connecting unit in the vicinity of the position at which the image capturing unit is disposed substantially transparent (figure 2, 40).

As to claim 18, Park teaches a portable information device provided with an image capturing function according to claim 13, wherein the image capturing direction control unit is a mechanism comprising a gear, a crank, or a pulley having a revolving shaft coaxial with the axis of rotation of the connecting unit (figure 4).

Allowable Subject Matter

Claims 6-8, 11, 12, 14-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 6, Park fails to teach further comprises: a first revolving shaft provided with a pulley which rotates in conjunction with the folding angle formed between the first housing and the second housing; a second revolving shaft provided with a pulley which is rotatably journaled in the second housing; and a belt wound

around the pulley on the first revolving shaft and the pulley on the second revolving shaft, and the image capturing unit is secured so as to be capable of rotating with the second revolving shaft.

As to claim 7, Park fails to teach further comprises: a crank mechanism including a first revolving shaft provided with a disc which rotates in conjunction with the folding angle formed between the first housing and the second housing; a second revolving shaft provided with a disc rotatably journaled in the second housing; and a connecting rod for connecting the disc on the first revolving shaft and the disc on the second revolving shaft, and the image capturing unit is secured so as to rotate with the second revolving shaft.

As to claim 8, Park fails to teach further comprises: a gear mechanism including a gear provided on the first revolving shaft which rotates in conjunction with the folding angle formed between the first housing and the second housing, a gear provided on the second revolving shaft rotatably journaled in the second housing, and at least one intermediate gear being meshed with the gear on the first revolving shaft and the gear on the second revolving shaft, respectively, and the image capturing unit is secured so as to rotate with the second revolving shaft.

As to claims 11, 12, Park fails to teach further comprises: portable information device provided with an image capturing function according to claim 5, wherein when the folding angle is within a second predetermined angular range, the image capturing direction of the image capturing unit is directed toward inside the second housing.

As to claims 14-16, Park fails to teach further comprises: folding angle is within a first predetermined range, the image capturing direction of the image capturing unit directs toward the display surface of the display unit and directs substantially perpendicularly to the display surface, and when the folding angle is within a second predetermined angular range, the image capturing direction of the image capturing unit directs the side opposite from the display surface of the display unit and directs substantially perpendicularly to the display surface.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- A. Kintz (US 6,275,714) teaches phone with ergonomic virtual image display.
- B. Terasaki et al (US 2002/0058531) teaches mobile phone provide with video camera.
- C. Toki (US 6,373,006) teaches opening and closing angle detecting apparatus and foldable device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

September 15, 2006

DANH CONG LE
PRIMARY EXAMINER